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Attorneys for RABAB ABDULHADI

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JACOB MANDEL, CHARLES VOLK,
LIAM KERN, SHACHAR BEN-DAVID,
MICHAELA GERSHON, MASHA
MERKULOVA, and STEPHANIE
ROSEKIND,

Plaintiffs,

v.

BOARD OF TRUSTEES of the
CALIFORNIA STATE UNIVERSITY,
SAN FRANCISCO STATE UNIVERSITY,
RABAB ABDULHADI,
in her individual capacity, and LESLIE
WONG, MARY ANN BEGLEY, LUOLUO
HONG, LAWRENCE BIRELLO,
REGINALD PARSON, OSVALDO DEL
VALLE, KENNETH MONTEIRO, BIRAN
STUART, and MARK JARAMILA, in their
official and individual capacities,

Defendants.

) Case No.: 3:17-CV-03511-WHO
)
) **DECLARATION OF DAN SIEGEL IN**
) **SUPPORT OF DEFENDANT, RABAB**
) **ABDULHADI’S MOTION FOR**
) **SANCTIONS PURSUANT TO 28**
) **U.S.C. § 1927 AND THE COURT’S**
) **“INHERENT AUTHORITY”**
)
) Date: May 29, 2019
) Time: 2:00 p.m.
) Location: Courtroom 2, 17th Floor Judge:
) William H. Orrick
) Original Action Filed: June 19, 2017
) Judgment Entered: October 29, 2018
) Appeal Dismissed: March 29, 2019
) Remand to District Court: April 8, 2019
)
)
)

DECLARATION OF DAN SIEGEL IN SUPPORT OF DEFENDANT, RABAB
ABDULHADI'S MOTION FOR SANCTIONS PURSUANT TO 28 U.S.C. § 1927
AND THE COURT'S "INHERENT AUTHORITY"

DECLARATION OF DAN SIEGEL

I, Dan Siegel, hereby declare as follows:

I am an attorney at law, duly licensed to practice before all courts in the State of California and am a member of the bar of this Court. If called upon to do so, I could and would testify competently to the following:

1. I graduated from Boalt Law School and was admitted to the State Bar of California in 1973. I am admitted to practice and have practiced before the United States Supreme Court, Ninth Circuit Court of Appeals, and all federal district courts in California.

2. I have served as chief of complex litigation for the San Francisco City Attorney's Office and as General Counsel for the Oakland Unified School District. I am the founding member of a seven-attorney firm, Siegel, Yee, & Brunner, a civil rights and employment law firm. I have prosecuted and defended a great many cases involving retaliation or alleged retaliation against public employees, especially in the academic setting where I have represented professors from the University of California, Brown University, Fresno State University, Arizona State University, and the University of Minnesota Duluth, among others. I have also represented victims of police misconduct. As such I have a great deal of experience with §1983 litigation. I also have some familiarity with this case as I served as counsel for one of the *amici*.

3. Cases of this nature, especially those in an academic setting, require an incredibly technical analysis of complex and sometimes contradictory facts and a sophisticated approach to the way those facts can shape varying legal approaches to §1983 issues such as who is or is not a state actor, and who does or does not have a claim for qualified immunity. As such they require a comprehensive understanding of facts pertinent to the governing legal theories.

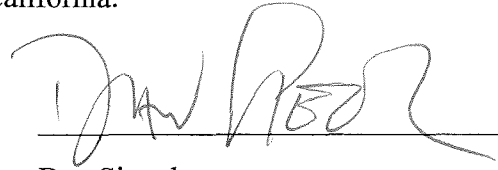
4. I know from my own experience both prosecuting and defending such cases and from managing other attorneys doing similar work, that these matters are incredibly labor intensive and can often consume two hundred hours or more before one even gets past the pleading stage. Also, although I have not queried Mr. Kleiman or Mr. Gharagozli about their time spent, it is my understanding that they have defended their client on a *pro bono* basis. I am sufficiently familiar

1 with the joys and heartaches of *pro bono* and contingent fee practice to be confident that they
2 used their time as economically as possible.

3 5. I have reviewed Mr. Kleiman's declaration and have noted that the calculation of the
4 hourly rates for himself and for Mr. Gharagozli is based on the hourly rate claimed by Winston
5 & Strawn just last month. As someone who has practiced in this field and in the Bay Area for
6 decades, I believe that the hourly fees charged by the firm which they successfully defeated is a
7 fair measure of how reasonable their hourly rate is in this case. I am also familiar with the
8 Laffey Matrix, and although I find it a bit low for Bay Area practice, something between that
9 hourly rate and Winston & Strawn's hourly rate would also be reasonable.

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct.

12 Executed on April 19, 2019 in Oakland, California.

13
14 
15 Dan Siegel